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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Katsumi SHIBAYAMA ) Confirmation No.: 9241  
Application No.: 10/565,282 ) Group Art Unit: 2815  
Filed: August 14, 2006 ) Examiner: Matthew E. Warren  
For: BACKSIDE-ILLUMINATED )  
PHOTODETECTOR )

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop ISSUE FEE**  
Alexandria, VA 22314

Sir:

**STATEMENT OF SUBSTANCE OF EXAMINER INTERVIEW**

In response to the Interview Summary form mailed with a Notice of Allowance on April 1, 2008 in the instant application, the Interview Summary form setting a period for response to which runs through May 1, 2008 for filing a Statement of the Substance of Examiner Interview (hereinafter "Statement"), the following Statement is hereby submitted.

Examiner Matthew Warren placed a telephone call to Applicant's undersigned representative on March 13, 2008 requesting particular changes to claims 4, 5 and 6 of the instant application. On March 17, 2008, Applicant's undersigned representative contacted the Examiner to inform the Examiner that Applicant had approved these changes to claims 4, 5 and 6.

Examiner Matthew Warren placed a further telephone call to Applicant's undersigned representative on March 24, 2008 requesting particular changes to claims 3, 8 and 10 of the

instant application. On March 25, 2008, Applicant's undersigned representative contacted the Examiner to inform the Examiner that Applicant had approved these changes to claims 3, 8 and 10.

The details of these claim amendments as discussed in these telephone conversations between the Examiner and Applicant's undersigned representative are properly indicated in the Examiner's Amendment that was included in the Notice of Allowance mailed on April 1, 2008. The Interview Summary form attached to the Notice of Allowance mailed on April 1, 2008 notes an interview date of March 18, 2008. However, Applicant's undersigned representative's recollections of the dates of such telephone interviews are as stated above. To the extent that any further clarification is required in this regard, the Examiner is respectfully requested to inform Applicant of such in a further Office Communication.

Applicant understands that the Notice of Allowance mailed on April 1, 2008 withdrew the Office Action dated March 25, 2008 and rendered its rejections moot. Also, Applicant understands that because of the issuance of the Notice of Allowance mailed on April 1, 2008, it is no longer necessary to respond to the Office Action dated March 25, 2008. This understanding is consistent with the directives set forth by the Examiner on the attachment to the Interview Summary form. However, if Applicant's understanding is not correct in this regard, then the instant Statement should be considered a full response to the Office Action dated March 25, 2008 for at least the foregoing reasons. If any of Applicant's understandings are incorrect in this regard, clarification is respectfully requested to be provided by the Examiner in a further Office Communication.

If there are any outstanding issues in any regard, the Examiner is invited to telephone Applicants' undersigned representative at 202-842-8812 to advance the prosecution of this application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**



By:

Paul A. Fournier  
Reg. No. 41,023

Dated: April 17, 2008

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